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ABSTRACT

This report describes the complex system charged with making societal interventions and dispositional decisions designed to intervene successfully with Indiana's most wayward youth. It begins with a summary of national statistics and trends, noting that, according to the Federal Bureau of Investigation Uniform Crime Reports, in 1990 the United States experienced its highest juvenile violent crime rate ever, 430 arrests per 100,000 juveniles. Other statistics are reported, documenting a 332% increase from 1965 to 1990 in the overall murder arrest rate for juveniles and increases in the number of juvenile arrests made for weapons violations. Statistics are included which document that youth are experiencing an increasingly unsafe world on the streets, in schools, and at home. Causes for the increase in delinquency are considered and the public response is discussed. The next section of the report focuses on juvenile crime statistics in Indiana. This is followed by an overview of the juvenile justice system in Indiana including the system's statutory purposes and components. The report concludes with a description of the specific functions of the system as a youth would experience them: intake, detention, adjudication, disposition, and release. (Author/NB)

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The Juvenile Justice System in Indiana

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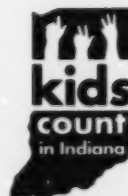
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The artwork depicted on the front cover of this publication was created by Phillip B. Evans, a Senior at Ben Davis High School, Indianapolis, Indiana.

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About the Indiana Youth Institute

We believe that the state of Indiana can and should become a state that genuinely cares about its young people and that its national reputation should reflect that concern and commitment.

To enhance that commitment, the Indiana Youth Institute works with adults who care about youth.

- IYI advocates for better service for Indiana's young people, both directly and in collaboration with others.
- IYI develops strategies to increase youth-serving professionals' knowledge, caring, and competence.
- IYI cultivates and supports innovative projects that hold promise for improving the lives of Indiana's young people.

We believe that the key to the success of young people is in the hands of the adults who care about them.

IYI is an intermediary agency that supports youth development professionals and decision makers with advocacy, research, and training.

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Kids, Crime, and Court

The Juvenile Justice System in Indiana

Contents

Introduction	1
A Snapshot of the Life of American Children	5
Juvenile Crime Statistics in Indiana	13
Overview of the Juvenile Justice System in Indiana 17	
Intake	23
Detention	27
Adjudication	35
Disposition	37
Release	45
Notes	47
Appendices	51

Introduction

The question of how to care for our nation's dependent or delinquent youth has long been debated. This debate has become particularly heated in recent years as the public has witnessed an upswing in violent and other criminal activity among youth. The United States experienced its highest juvenile violent crime arrest rate in 1990.¹ The heinousness of some instances of youth violence has fueled the debate. Whether one examines the summer of violence in Denver, the preying on foreign tourists in Florida, or the summer rash of accidental handgun fatalities in Indianapolis, a distinct trend is emerging. Consensus is developing that something is seriously amiss with many of our young people.

Indiana has seen itself as somewhat insulated from the influences of large metropolitan areas and their youth gangs, drug crimes, and violence. While a pleasant romantic stereotype, this image is being challenged by a daily media barrage that shows many Hoosier youth to be as troubled, damaged, and dangerous as those young people found in "the big cities." Whether it is the case of the 7-year-old rapists in Indianapolis, the teen girls who tortured and murdered a 12-year-old friend in Madison, the youth who murdered his mother with a baseball bat and a kitchen cleaver in Franklin, or the numerous young people throughout the state who carry handguns to school, one can no longer deny that problems exist with our youth, too—right now, right here, in America's heartland.

Often forgotten in the discussion of young offenders are the factors contributing to their delinquency and the increasingly perilous world all

children now face. Statistical reports make one thing clear: American children are spending their developmental years in an increasingly violent and unsafe world. Teenagers are the age group most victimized by crime in the U.S. and the group least likely to report it.² In addition, a compromised home life contributes significantly to the ranks of offenders. A study conducted by the National Institute of Justice in 1992 showed that experiencing abuse or neglect as a child increased the likelihood of arrest as a juvenile by 53%, as an adult by 38%, and for a violent crime by 38%.³ In Indiana, in 1990, it was estimated that at least 60% of the residents at the Indiana Boys' School had been wards of the child welfare system prior to incarceration.⁴

The needs of delinquent youth are complex and multidimensional. Most juvenile experts agree that delinquency reflects breakdowns of families, schools, neighborhoods, and other community institutions. Effective mitigation requires a variety of societal interventions. Recidivism rates of young offenders demonstrate that Indiana's present system is not working. In Marion County alone, nearly 70% of youth referred to juvenile court in September 1993 had been arrested previously.⁵

Once young people commit offenses and are arrested, they are introduced to the labyrinth that is the Indiana juvenile justice system. This system is at once 92 separate systems, with many governance and funding variations among Indiana's counties. At times, it seems that even the basic purposes of the juvenile justice system are at odds with one another. This adds to the confusion of the families and youth already intimidated or overwhelmed by the system they have entered.

In describing the state's system, *Indianapolis Star* writer Andrea Neal recently noted: "Too many kids with too many troubles, they swamp a juvenile justice system with troubles of its own."⁶ Others had this to say about the Indiana system:⁷

"Our system is not geared to rehabilitation. It's geared to shelving people. A lot of times, we're setting these kids up for failure."

Jim Sheldon, a public defender at juvenile court

"Our system needs work."

Pam Cline, director of juvenile institutions
for the Department of Correction

"We lack a coherent child welfare-family policy in the state of Indiana, in the country. The problem is poverty. The problem is child abuse. We're not taking care of our families."

Mary Roth, executive director,
Pleasant Run Children's Homes

"Boys' School is not fulfilling the mission it was designed to fulfill. When the end part of a system isn't providing credibility, then the system doesn't have credibility."

Judge James Payne, Marion County

"The word is on the street that if you go to Boys' School you're going to be out in three to six months."

Damon Ellison, superintendent of the Marion County
Juvenile Detention Center

"The bottom line is people in the community don't want to give up the money to attack this problem where it needs to be attacked. But we're going to spend so many more millions on these kids who become first-class criminals."

I. Marshall Pinkus, attorney and former probation officer

"All they've gotten is tougher, more streetwise."

Denisa Stevenson, mother of three sons in
Indiana's juvenile justice system

For many young people, the juvenile justice system will be much easier to enter than to leave. For others, it will serve as a revolving door for the remaining years of their adolescence, often culminating in adult incarceration. If we are to make use of the juvenile justice system to stem the rising tide of juvenile crime, our efforts must begin with an accurate description of the system that currently exists.

This report describes the complex system charged with making societal interventions and dispositional decisions designed to intervene successfully with Indiana's most wayward youth. It begins with a summary of national statistics and trends and then examines juvenile crime statistics in Indiana. This is followed by an overview of the juvenile justice system in Indiana including the system's statutory purposes and components. It concludes with the specific functions of the system as a youth would experience them: intake, detention, adjudication, disposition, and release.

A Snapshot of the Life of American Children

According to the Federal Bureau of Investigation (FBI) Uniform Crime Reports, in 1990 the United States experienced its highest juvenile violent crime arrest rate ever, 430 arrests per 100,000 juveniles.⁸ This rate represents a 27% increase from the rate reported in 1980. Additionally, the nation has experienced an unprecedented upsurge in the overall murder arrest rate for juveniles. This rate jumped 332% from 1965 to 1990!⁹ In one decade alone, from 1980 to 1990, the murder arrest rate¹⁰

- Increased 145% for African-American juvenile offenders,
- Increased 48% for white juvenile offenders, and
- Decreased 45% for juveniles of all other races (including Asian).

The decade has likewise seen a huge increase nationwide in the number of arrests made for weapons violations. In 1990, there were 151 arrests per 100,000 juveniles for weapon law violations, the highest rate recorded in U.S. history.¹¹ During this time, the arrest rate for weapons violations¹²

- Rose 103% for African-American offenders,
- Rose 58% for white offenders, and
- Dropped 48% for offenders of all other races.

In summarizing these frightening statistics, the FBI Uniform Crime Report concludes: "The Nation is experiencing an unrivaled period of juvenile violent crime that began during the 1980s."¹³

An Increasingly Unsafe World for Youth

Statistical reports make one thing clear: American children are spending their developmental years in an increasingly violent and unsafe world. The National Crime Prevention Council provides the following statistical portrait of the world they face.¹⁴

On the Streets

- Teenagers are the age group most victimized by crime in the U.S. Although the 12-19 age group constitutes only 14% of the total population age 12 and older, teens are victims of three in ten violent crimes and one in four thefts. Teenagers are the least likely group to report crime. (*Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice, 1991*)
- Between 1986 and 1991 alone, the juvenile violent crime arrest rate for youths ages 10-17 increased by 48%. In 1991, there were 130,000 youth arrests made for rape, robbery, homicide, or aggravated assault, 42,000 more youth arrests than in 1986. (*Kids Count Data Book, 1993*)
- African-American males ages 16-19 face an enormous risk of death by murder (54.3 per 100,000 versus 12.6 for African-American females the same age). For white males, ages 16-19, the risk of death by murder is 8.7 per 100,000; white females ages 16-19 face a 3.4 per 100,000 risk. (*Bureau of Justice Statistics, 1991*)
- Women ages 12-24 were nearly three times more likely to be raped than women in older age groups. (*Bureau of Justice Statistics, 1990*)
- The firearm death rate among teens ages 15-19 increased 77% from 1985 to 1990, reaching the highest level to date. The firearm homicide rate for African-American teenage males nearly tripled. (*Centers For Disease Control and Prevention, Public Health Service, U.S. Department of Health and Human Services, 1993*)
- While reported alcohol and other drug use declined slightly among high school seniors in 1992, 8th-graders reported increased drug use. The 8th-graders used alcohol at nearly the same rates as in 1991—nearly 70% reported using alcohol at least once. (*University of Michigan's 1992 High School Senior Survey on Drug Abuse*)
- Five percent of American teens ages 16-19 have no productive role in society—i.e., they aren't in school or the military and don't have jobs, either in or outside the home. (*Kids Count Data Book, 1993*)

At School

- Over half of all violent crimes against teenagers ages 12-19 occur in school buildings, on school property, or on the street. Street crimes are three times more likely than crimes in school buildings to have been committed by an offender with a weapon. (*Bureau of Justice Statistics, 1991*)
- One in eight students has feared being attacked going to or from school. In central cities, one in five students has feared such an attack. (*Bureau of Justice Statistics, 1992*)
- One in fifteen students reported avoiding places at school out of fear of an attack. Younger students (age 12 or so) were twice as likely as students age 18 to avoid places at school because they feared attack. (*Bureau of Justice Statistics, 1992*)
- Gang or drug disputes were the leading cause of school gun violence (18%). Longstanding arguments (15%), romantic disagreements (12%), fights over possessions (10%), and accidents (13%) were also common causes. (*Center to Prevent Handgun Violence, 1990*)
- Fifteen percent of students reported gangs present at their schools. Of these students, 35% said they feared attack at school, and 24% feared attack going to or from school. Where gangs were reported present, 13% of students avoided areas inside the school for fear of attack. (*Bureau of Justice Statistics, 1992*)

At Home

- In 1992 alone, 1,261 children died from child abuse. Those who survive often suffer lasting pain and even disability from serious injuries and emotional trauma. (*National Committee for the Prevention of Child Abuse, 1993*)
- In 1992, an estimated 2.9 million suspected child abuse incidents were reported in the United States. (*National Committee for the Prevention of Child Abuse, 1993*)
- Being abused or neglected as a child increases the likelihood of arrest as a juvenile by 53%, as an adult by 38%, and for a violent crime by 38%. (*National Institute of Justice, Office of Justice Programs, U.S. Department of Justice, 1992*)

Gunshot wounds are now second only to vehicular accidents as the leading cause of death for Americans ages 10-34 years.¹⁵ A 1989 study estimated that gunshot injuries in the U.S. in 1985 cost some \$14.4 billion in

direct hospital and medical care costs and indirect long-term disability and premature death costs.¹⁶ This study estimated that more than 80% of the treatment costs for these gunshot wounds is paid for by taxpayer dollars.¹⁷

Causes for the Increase in Delinquency

Clearly delineating causal factors for the rise in violent juvenile crime is difficult. Researchers, social scientists, and policy analysts point to the increasing breakdown of the American family; the increased availability of dangerous drugs and weapons; and the increased prevalence of graphic violence portrayed in the media, television, and film. The general public sees additional factors among the roots of escalating youth violence. In a 1989 public opinion poll adults reported what they believed was to blame for the escalating teen violence. The top ten responses in order are as follows:

1. Lack of parental supervision
2. Lenient treatment of juvenile offenders by the court
3. Mistreatment of children by their parents
4. Too much sex and violence in the movies
5. Too much sex and violence on TV
6. Too much emphasis on sex in advertising
7. Rock music lyrics that glorify sex and violence
8. Lack of opportunity due to poverty
9. Insufficient recreation facilities for teens
10. Failure of schools to provide a better education.¹⁸

Other factors often cited as causative include the increased pace and chaotic state of life in general, the high cost of living which is driving more parents to work, increased numbers of single-parent families struggling to cope and keep up, and increased levels of family stress. The National Commission on Children in its report *Beyond Rhetoric, A New American Agenda for Children and Families* writes:¹⁹

Too many children at every income level lack time, attention, and guidance from parents and other caring adults. The result is often alienation, recklessness, and damaging antisocial behavior. . . . Even those children who are shielded from the personal effects of poverty, illness, and extreme misfortune confront circumstances and conditions that jeopardize their health and well-being. They too attend troubled schools and frequent dangerous streets. The

adults in their lives are equally hurried and distracted. They receive the same cultural messages equating personal success with materialism, greed, and power, while trivializing commitment to marriage, family, and community.

The inter-relatedness of these risk factors poses a particular challenge for American youth today. Perhaps the best summary of how these factors all interact is provided by George Napper, Jr., Georgia State Department of Children and Youth Services. Because of the strength and clarity of Dr. Napper's message, a large section is reprinted here verbatim:²⁰

Indeed, in Georgia, we have found that the youth that come into the custody of the Department of Children and Youth Services have more in common than the fact that they have broken the law. Many have been neglected or abused; are addicted to alcohol and/or drugs; have unrelated physical, mental, and emotional disorders; have records of poor academic achievement; are from broken homes and/or dysfunctional families; have grown up in poverty-stricken environments with limited opportunities; have inadequate social skills; and have few, if any, job skills they can offer in a competitive market.

Basically, all of these youth suffer from numerous unmet needs as a result of social institutions that have failed them. Particularly, they have been failed by the most critical institution of all—their families; yet many of these families are themselves deprived of the basic resources they need in order to adequately care for their children. Especially hard hit are minority and low-income families who are besieged daily by a host of vicious social circumstances largely beyond their control, with the end result being that the children in these families are not getting what they need to be healthy human beings, let alone productive citizens.

For many of these youth, life becomes one frustrating experience after another. They often do not receive the care and nurturing young people require in order to develop self-esteem and confidence in their ability to negotiate the world beyond their homes. Because of a lack of resources, many of these youth do not develop the skills they need in order to begin the process of formal learning in school. They may then begin school at a disadvantage and find themselves unable to meet expected standards early on. As they become increasingly frustrated with school, they may be held back one or more grade levels or placed in special education classes, further increasing their sense of failure. At some point, usually around the 7th to 9th grade, many just drop out.

Their lack of academic skills seriously impairs their marketability, so they then experience difficulty finding acceptable work. This increases their frustration even more, as they realize that the opportunities available for them to succeed in a legitimate way are seriously limited. These youths, particularly the males, also suffer from the lack of positive male role models in their lives. Their heroes often become the drug sellers or dealers.

Community self-regulation occurs in two forms: informally, where neighbors tend to 'supervise' each other, and formally, through organizations that socialize residents in regard to appropriate behavior. It is difficult to establish institutions that can instill formal social control when the population of an area is highly mobile and people have little commitment to the neighborhood. A mobile population also makes it difficult to establish friendship networks. And, it is difficult to establish commonly shared values and goals and solve common problems when there is a high level of heterogeneity. As a result of weak formal and informal controls, the costs of engaging in criminal behavior decline, thus making such behavior more likely.

(Morehouse Research Institute Bulletin, 1993)

Although Dr. Napper summarizes the situation found in Georgia, the name of the state could be changed to Indiana and accurately capture the experiences of many troubled Hoosier youth.

The Public Response

The general public's response to the increasing prevalence of violence and crime among our youth has been one of fear, frustration, and backlash—loudly pressuring the juvenile justice system for increased accountability and control of these youthful offenders, with little understanding of the origins of their behavior and little compassion for their needs. The following letter to the editor of the *Indianapolis Star* from an Indianapolis resident provides one example of the general public's frustration.²¹

Worthless Punks...Every time I pick up a newspaper and read about these worthless punks committing another rape while out on bail, or another murder, or sexually molesting another child, or knocking down another woman to grab her purse, I am furious and disgusted with our legal system.

The best deterrent to crime, as everyone knows, is fear. In the first place, every punk should be made to know that the instant he's

convicted of touching anybody's person or property he has given up all of his civil rights.

I'm not going to detail the punishments these worthless punks should get, but we should make certain they never again have the physical ability or freedom to commit that crime again.

Public reaction is putting pressure on the justice system that oversees care for these youth—to the point of re-examining what is an appropriate philosophy for the juvenile court. Some of the results of increased public pressure, at both the national and state level, include

- More juveniles being waived to adult courts;
- An ongoing policy debate concerning lowering the age of accountability when a juvenile may be waived, determinate sentencing, and public restitution to society and victims alike; and
- The shifting focus of the system from one of treatment, support, and rehabilitation more to one of punishment, accountability, and control.

Juvenile Crime Statistics in Indiana

Trying to ascertain just how many Hoosier youths are touched by violence or crime, brought into court to stand before a judge, or otherwise pulled into or incarcerated by the juvenile justice system is an exercise in frustration. At every point in the process there are problems with data. There is often a dearth of descriptive data, accuracy problems with the data that do exist, delays in availability of the data, or combinations of these factors. In compiling this report, every effort was made to locate the best information currently available.

Juvenile Arrests

The best available summary of the numbers of offenses for which Hoosier youths were arrested appears to be the Uniform Crime Report of the Federal Bureau of Investigation (FBI). The Uniform Crime Report is a statistical compilation of arrest data collected by local and state law enforcement agencies throughout the United States. This information is voluntarily reported to the FBI by local jurisdictions. Because reporting is *voluntary*, many law-enforcement agencies do not report to the FBI or report data for only part of the year.

In Indiana, there are 244 law-enforcement jurisdictions, excluding the Indiana State Police.²² Of those 244 law-enforcement jurisdictions, only 109 jurisdictions (representing 58% of the population) reported crime data to the FBI for the entire year in 1991.²³ Information about reporting jurisdictions is summarized in Table 1 and Figure 1.

Table 1
Summary of Indiana Law Enforcement Jurisdictions Reporting Data to the Federal Bureau of Investigation, 1991

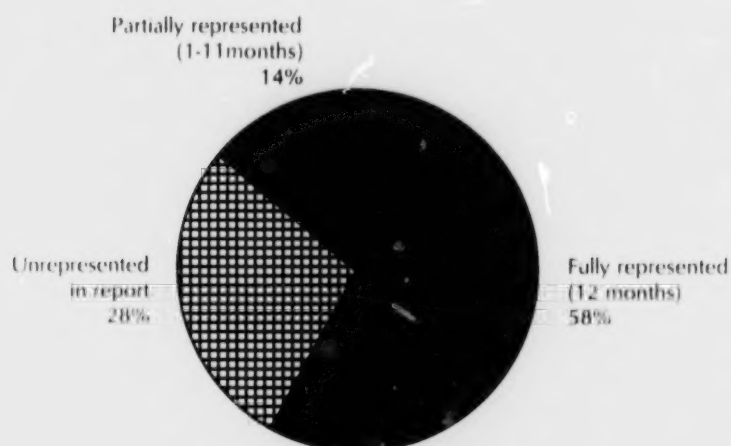
244 Law-enforcement jurisdictions in Indiana
(excluding Indiana State Police, which did not report to FBI)

Of these:

- 93 Jurisdictions did not report
(population of 1,565,341 or 28% of the state's population)
- 10 Jurisdictions reported for 1-3 months
(population of 261,774 or 5% of the state's population)
- 5 Jurisdictions reported for 4-6 months
(population of 192,084 or 3% of the state's population)
- 8 Jurisdictions reported for 7-9 months
(population of 101,512 or 2% of the state's population)
- 19 Jurisdictions reported for 10-11 months
(population of 238,028 or 4% of the state's population)
- 109 Jurisdictions reported for the entire year
(population of 3,251,261 or 58% of the state's population)

Source: FBI, UCR 96700, Master File, 1991.

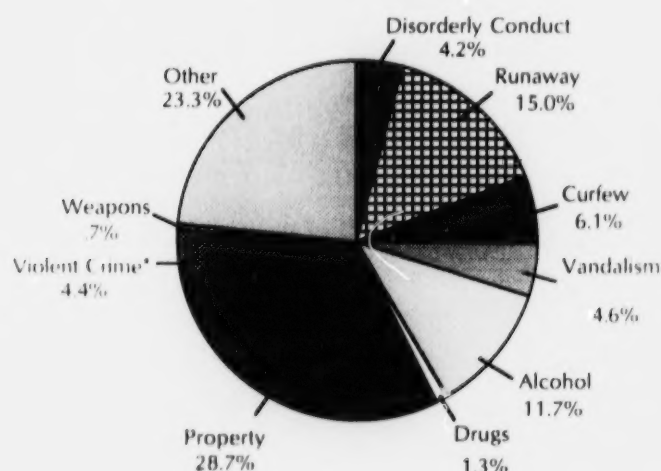
Figure 1. Population Base Represented in FBI Uniform Crime Report, Indiana, 1991



Source: FBI, UCR 96700, Master File, 1991.

Despite the shortcomings of the database, useful information can be gleaned from the FBI report. In 1991, there were 36,935 crimes reported for which juveniles were arrested.²⁴ Juvenile arrests represented about 23% of all arrests reported in Indiana.²⁵ Of the juvenile arrests, 4.4% were for violent crimes, and 29% were for property crimes.²⁶ Arrest data are summarized in Figure 2. Had all law enforcement jurisdictions reported for the full year, the number of arrests would undoubtedly have been considerably higher. A summary of each Indiana county's reported juvenile arrests for violent crimes and weapons offenses is provided in Appendix A.

Figure 2. Offenses for Which Juveniles Were Arrested, Indiana 1991



*Violent Crimes include murder, rape, robbery, and aggravated assault.
Property Crimes include burglary, larceny-theft, motor-vehicles theft and arson.

Source: Indiana Youth Institute analysis of FBI Uniform Crime Report juvenile arrest data, 1991.

Additional Data Limitations

Although the Uniform Crime Report contains the best arrest information available, other problems exist with the data as reported. First, although the definitions used to categorize violent and property crimes are fairly consistent among reporting agencies, there may be local variations in the way jurisdictions report and define other crimes. Therefore, when comparing jurisdictions, caution must be utilized.

Second, the numbers do not represent actual individuals arrested; but rather, the number of offenses for which individuals were arrested. For example, it can not be determined from the statistics if one juvenile was arrested at one time for two different offenses (thus counted in two different categories) or if one juvenile was a repeat offender for the same or different offenses. The Uniform Crime Report data do not tell us if 100 juveniles account for all 36,935 reported juvenile arrests or if it is 36,935 different juveniles who were arrested.²⁷

Third, since the data represent arrests only, it is impossible to determine how many crimes were committed by juveniles for which no arrests were made. Further, the data represent only arrests, not convictions. There may be many instances in which a juvenile was arrested but found not guilty of the charge in court. It is also impossible to determine the number of instances in which the juvenile was given a warning by the law enforcement official rather than being arrested—especially in cases of status offenses such as alcohol or curfew violations. (Status offenses are acts committed by a child that would not be violations if committed by an adult.)

Lastly, data reporting is voluntary, with variation among law-enforcement jurisdictions and from year to year. This variation makes trend analysis inaccurate and speculative.

Overview of the Juvenile Justice System in Indiana

Purpose

The primary purposes of Indiana's juvenile justice system are prescribed by state law, Indiana Code 31-6-1-1, which mandates that the state

- Provide a juvenile justice system that protects the public by enforcing the legal obligations children have to society;
- Provide a judicial procedure that insures fair hearings and recognizes and enforces the constitutional and other legal rights of children and their parents;
- Insure that children within the juvenile justice system are treated as persons in need of care, treatment, rehabilitation, or protection;
- Utilize diversionary programs which are consistent with public safety;
- Strengthen family life by assisting parents to fulfill their parental obligations; and
- Remove children from their families only when it is in the child's best interest or in the best interest of public safety.

The law gives the juvenile justice system broad responsibilities and power to intervene in the lives of Hoosier children and their families. The courts seek to provide a balance between the need to act in the best interests of children coming under their jurisdiction and the need to protect the larger community from the consequences of endangering behaviors.

The concept of a separate justice system for juveniles is just about a century old. Support for separate juvenile courts rests on the premise that

children do not automatically or instantly mature. It is assumed that at various points in their development, young people may take dangerous risks and make mistakes as they try out various adult roles. The system grants to youth a period of gradual increase in accountability for specific behaviors as they move toward adulthood and emancipation.

The flexibility built into the juvenile justice system has also made it problematic. Given the number of competing or even conflicting juvenile code mandates, judges assigned to juvenile courts often need the "wisdom of Solomon" as they try to sort out the various edicts for maintaining public safety, preserving or reuniting the family, ensuring equity and objectivity in applying and dispensing justice, assuring constitutional and other legal rights, and rehabilitating the child, while concomitantly developing an individual treatment or educational plan for the child.

Figure 3 presents a graphic overview of Indiana's juvenile justice system. The complexity of this system is readily apparent. Most children enter for one of two reasons: because they are endangered by the behavior of others or because their own behavior runs counter to the law. In practice, as noted earlier, the two routes often merge. Thus, although the emphasis of this report is on the justice system's responses to juvenile delinquent or criminal behavior, information about protective services has been included as well.

Components of the System

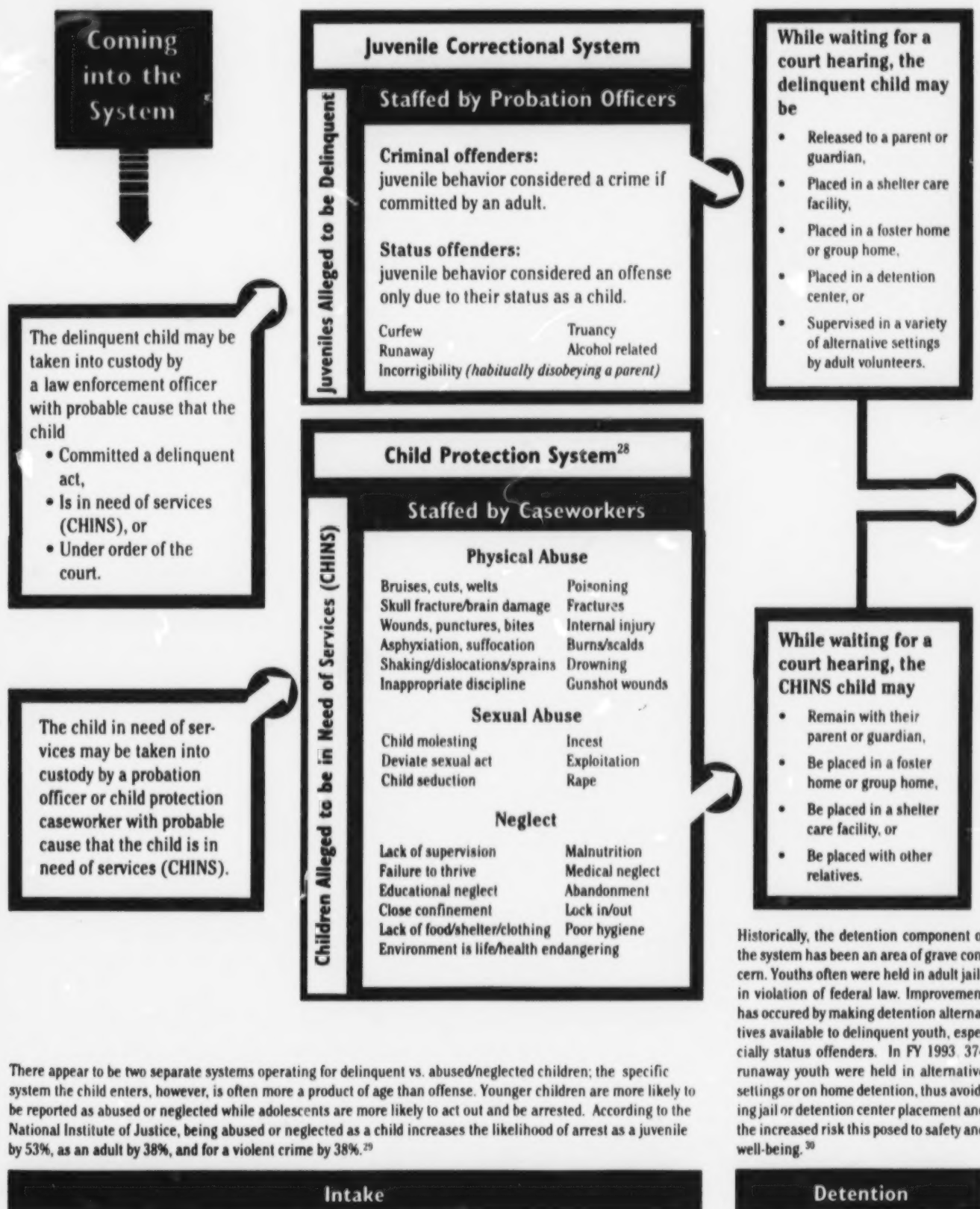
To carry out the broad goals mandated by state law, the juvenile justice system has several different components.

- The **juvenile code** (or law) provides the legal framework of the juvenile justice system and defines the individuals involved in the proceedings and the procedures to be followed.
- The **juvenile court** (or court with juvenile case jurisdiction) oversees the administration of juvenile justice, the findings of fact, and general legal processing of the youth brought before them.
- **Law enforcement officers** may arrest a youth if he or she has committed an offense that is criminal in nature, or may take a youth into custody if a court order has been issued, either for a delinquency determination or a determination that the child is in need of services (CHINS), pending a detention hearing by the court.

- **Detention facilities** hold or detain the youth until the juvenile court can process the petition filed against the youth and conduct a dispositional hearing.
- **Juvenile probation officers** are responsible for supervising the juveniles that are taken into custody including: conducting investigations, preparing reports and recommendations, receiving and processing complaints and allegations relating to juveniles, implementing informal adjustments, preparing predispositional reports required for dispositional hearings, supervising any youth placed on probation by the court, and keeping appropriate records and accounting for all money and property that comes into the court's possession. Juvenile probation officers (as well as child welfare caseworkers) are also referred to as intake officers.
- **Welfare caseworkers** act as intake officers for children in need of services (CHINS) and determine whether a preliminary inquiry of child abuse, neglect, or exploitation is warranted.
- **Prosecutors** are responsible for representing the state in proceedings involving an allegation that a child is delinquent, or, in other cases, a child in need of services (CHINS). The prosecutor also responds to information provided by the intake officer to make a determination regarding whether there is reason to believe that a delinquent act has been committed and that a preliminary inquiry should be prepared.
- The **Indiana Department of Correction** is the designated agency with responsibility for operating the state's two juvenile correctional institutions, Indiana Boys' School and Indiana Girls' School, and the six community-based juvenile correction facilities.
- **Guardians Ad Litem and Court Appointed Special Advocates (GAL/CASA)** are volunteers appointed by the court to act on behalf of juveniles involved in judicial proceedings to ensure that the children's best interests are represented throughout. These volunteers are made a legal party to the proceedings.

Supervision

For many young people in the juvenile justice system, supervision occurs through the Office of Juvenile Probation. Juvenile probation services are operated separately from those for adults. Probation officers are appointed by the judge of the court with juvenile jurisdiction. Juvenile probation officers are local, judicial-branch employees and serve at the



There appear to be two separate systems operating for delinquent vs. abused/neglected children; the specific system the child enters, however, is often more a product of age than offense. Younger children are more likely to be reported as abused or neglected while adolescents are more likely to act out and be arrested. According to the National Institute of Justice, being abused or neglected as a child increases the likelihood of arrest as a juvenile by 53%, as an adult by 38%, and for a violent crime by 38%.²⁹

The Juvenile Court

Staffed by Judges, Support Staff and Probation Officers

Legal Steps Required in Adjudication³¹

The Detention Hearing

If a child is held in custody, a *detention hearing* must be conducted within 48 hours for a child alleged to be delinquent and within 72 hours for a child alleged to be in need of services (CHINS) to determine where the child will remain while waiting for a court date.

Preliminary Inquiry or Preliminary Investigation

If the prosecutor believes a delinquent act has been committed, he/she will request the intake officer to begin a preliminary investigation to decide if the child's or public's interests require further action. The intake officer will investigate the child's home life and habits, explain the charges and the child's rights to the child and their parents, and file a report with the prosecutor with recommendations as to how to handle the case.

Filing of Petition

The prosecutor petitions the court to designate a child as delinquent; the prosecutor or the attorney for the county Division of Family and Children petitions the court to designate a child as CHINS.

Initial Hearing

The court informs the child and their parents of the allegations, the

child's rights, and dispositional choices. It appoints counsel for delinquent children, if desired. If the child admits to the offense, the dispositional hearing occurs. If not, a fact-finding hearing must be conducted. For CHINS children, the court may appoint a guardian ad litem (GAL) or court-appointed special advocate (CASA), or both.

Fact-Finding Hearing

The court determines whether a child is a delinquent or a CHINS. If determined as such, the court enters a judgment and orders a predispositional report. If not, the child is discharged, and the case records are destroyed.

Dispositional Hearing

The court determines the care, treatment, and rehabilitation plan for the child. It enters a decree that specifies what the child is required to do.

Review and Modification

Once in the system, formal hearings must take place after six months for CHINS children and after 12 months for delinquent children to review the status of the child's needs. All cases must be reviewed again after 18 months. If the dispositional plan objectives have been met, the child is discharged and the process terminates.

The Juvenile Justice System in Indiana

Dispositional Options

Department of Correction Facilities

Treatment or Residential Facilities

Detention Facilities

Home Detention

Probation Supervision

Remand to Adult Court

Released to Parents

Case Dismissed

During the adjudication process, the child is officially designated a delinquent or CHINS child, and made a ward of the state. The juvenile court judge has extensive power in his/her role of *parens patriae*, or *state as parent*. Since the motivation of the court is to "help" the children, many of the due process rights traditionally afforded to adults, such as bail and jury trials, do not exist for children.

Adjudication

During the dispositional hearing, the juvenile court judge decides where the child will go for care, treatment, or rehabilitation. Dispositional choices include a variety of options not traditionally viewed as correctional facilities. Often, CHINS children and delinquent children end up being placed in the same facilities.

Disposition

Duties of Probation Officers

pleasure of the judge in their court. The specific duties of probation officers are described in the following box.

Probation officers mandatory duties include

- (1) conducting prehearing and presentence investigations and preparing reports as required by law;
- (2) assisting the courts in making pretrial release decisions;
- (3) assisting the courts, prosecuting attorneys, and other law enforcement officials in making decisions regarding the diversion of charged individuals to appropriate noncriminal alternatives;
- (4) furnishing each person placed on probation under his supervision a written statement of the conditions of his probation and instructing him regarding those conditions;
- (5) supervising and assisting persons on probation consistent with conditions of probation imposed by the court;
- (6) bringing to the court's attention any modification in the conditions of probation considered advisable;
- (7) notifying the court when a violation of a condition of probation occurs;
- (8) cooperating with public and private agencies and other persons concerned with the treatment or welfare of persons on probation, and assisting them in obtaining services from those agencies and persons;
- (9) keeping accurate records of cases investigated by him and of all cases assigned to him by the court and making these records available to the court upon request;
- (10) collecting and disbursing money from persons under his supervision according to the order of the court, and keeping accurate and complete accounts of those collections and disbursements;
- (11) assisting the court in transferring supervision of a person on probation to a court in another jurisdiction; and
- (12) performing other duties required by law or as directed by the court.

Source: Indiana Code 11-13-1-3

When a juvenile petition is referred to the court, a probation officer or caseworker will serve as the intake officer for the preliminary inquiry. If the child is alleged to be delinquent, the intake officer forwards petition information to the prosecutor for a determination. If the prosecutor believes a delinquent act has been committed, the intake officer prepares a preliminary inquiry to determine if further action is required. Supervision continues while the court retains jurisdiction over the child and during any probation period.

Intake

A young person first enters the juvenile justice system through the intake process. Intake involves taking the youth into custody because an offense has been committed and an arrest made, because the juvenile is felt to be in danger of abuse, neglect, exploitation, or endangerment (CHINS), or because the court has issued an order to bring the youth into custody. To take a child into custody, there must be probable cause that a delinquent act has been committed or that the child is in need of services.

Delinquent offenses are of two types: status offenses and criminal offenses. *Status offenses* are infractions considered to be offenses only because of the juvenile's age. These include running away from home, truancy, habitual disobedience (incorrigibility), curfew violations and alcoholic beverage violations specifically related to minors. Such acts would not be offenses if committed by an adult. *Criminal offenses*, on the other hand, are acts such as property crimes, assault, theft, rape, battery, murder, etc., that would also be criminal offenses if committed by an adult. Delinquent children are taken into custody by law-enforcement officers.

Children in need of services (CHINS) are children who have been abused, neglected, endangered, or exploited and are therefore in need of care, treatment, or services that they are not receiving. Children who are felt to be in need of services may be taken into custody by law-enforcement officers, probation officers, or child welfare caseworkers, when probable cause exists. The definition of CHINS covers 11 categories of need and is summarized in the following box.

Definition of CHINS

Definition of Children in Need of Services (CHINS)

A child is defined as in need of services if, before their eighteenth birthday,

- The child's physical or mental condition is seriously impaired or seriously endangered as a result of the inability, refusal, or neglect of the child's parent, guardian, or custodian to supply the child with necessary food, clothing, shelter, medical care, education, or supervision;
- The child's physical or mental health is seriously endangered due to injury by the act or omission of the parent, guardian, or custodian;
- The child is the victim of a sex offense as defined under Indiana law;
- The child's parent, guardian, or custodian allows the child to participate in an obscene performance as defined by Indiana law;
- The child's parent, guardian, or custodian allows the child to commit a sex offense prohibited by Indiana law;
- The child substantially endangers the child's own health or the health of another;
- The child's parent, guardian, or custodian fails to participate in a disciplinary proceeding as described by Indiana Code 20-8.1-5-7, where the behavior of the student has been repeatedly disruptive in school;
- The child is a missing child as defined by Indiana Code 10-1-7-2;
- The child is a handicapped child who is deprived of nutrition that is necessary to sustain life, or who is deprived of medical or surgical intervention that is necessary to remedy or ameliorate a life threatening medical condition, if the nutrition or medical or surgical intervention is generally provided to similarly situated handicapped or non-handicapped children;
- The child is born with fetal alcohol syndrome or an addiction to a controlled substance or legend (non-prescribed) drug;
- The child has an injury, abnormal physical or psychological development, or is at a substantial risk of a life threatening condition that arises or is substantially aggravated because the child's mother was addicted to alcohol, a controlled substance, or a legend drug during pregnancy;

and needs care, treatment, or rehabilitation, that the child is not receiving and that is unlikely to be provided or accepted without the coercive intervention of the court.

Source: Indiana Code 31-6-4-3.

Blurred Points of Entry

It may appear that there are separate operating systems for delinquent and abused/neglected children. The specific system a child enters, however, may often be more a product of age than of offense. Younger children are more likely to be reported as abused or neglected. Although they may have had very similar backgrounds, adolescents are more likely to have acted out in ways that led to an arrest. The system is somewhat flexible in the allowable arrangements that may be made for the child after she or he is initially brought into custody and is awaiting a court date. Depending on circumstances, the juvenile may be released to a parent, guardian, or other custodian or be placed in shelter care or detention.

For juvenile offenders, the driving philosophy of the juvenile court is based on care, treatment, and rehabilitation. Since most children ultimately adjudicated as delinquent could just as readily have been declared in need of services (CHINS), the decision regarding which system shall supervise and pay for the child's care is often determined by external circumstances such as available funding streams, the cost of the facility, current bed availability, or the preferences of the particular juvenile judge handling the case (some typically favor particular dispositions and/or facilities over others), rather than the specific needs of the individual child. Whether a status offender is adjudicated as a delinquent or a CHINS is in large part a matter of local custom and practice.

Indiana's long and strong tradition of local government or "home rule" has led to placement and payment practices that are as diverse as the 92 county court systems themselves. In some counties, for instance, local welfare departments place and fund services for both CHINS and children on probation. In other counties, the courts place and pay for the services they order. In still other counties, the probation department or juvenile court places the children, but the local welfare department pays for the services. The wide diversity and inconsistency of placement practices has given rise to concern about equity issues for youth offenders.

The distinctive nature of the juvenile court system raises several other issues. Although many juveniles come before the courts for committing offenses that would be criminal whatever their age, historically, the

philosophy of the juvenile justice system in Indiana (as in most states) has been based on concepts of civil rather than criminal law. As is true for adult courts, proof must be established beyond a reasonable doubt before a child can be adjudicated as delinquent. Unlike adult offenders, however, children and adolescents coming before the juvenile court are not allowed bail or jury trials.

Detention

Once a youth has been taken into custody, a determination will be made either to

- 1) release the youth to parent(s) or guardian pending a court appearance, or
- 2) hold or detain the youth until the juvenile court can process the petition filed against the youth and conduct a dispositional hearing.

There are two general types of formal detention for juveniles in Indiana. Secure detention is used for criminal offenders, and shelter care facilities (group homes or youth shelters) are used for status offenders, and children in need of services (CHINS). A current list of Indiana's juvenile detention centers and their holding capacity is presented in the next box.

The Juvenile Justice and Delinquency Prevention Act of 1974

Until relatively recently, many Indiana counties commonly detained children and adolescents in their adult jails. This practice was prohibited by the Juvenile Justice and Delinquency Prevention Act, passed in 1974 to reform the juvenile justice system in the United States. Among the stated objectives of the federal act was "to assist state and local governments in removing juveniles from jails and lockups for adults."³² The Act (42 U.S.C. Sec. 5633) contains three primary mandates.³³

1. **The deinstitutionalization of status offenders.** Juveniles who have committed offenses that would not be criminal if committed by adults or are not violations of valid court orders shall not be placed in secure detention facilities or secure correctional facilities.

Juvenile Detention Centers in Indiana

Juvenile Detention Centers in Indiana

Facility	Capacity (male/female)
Lake County Juvenile Center	84
Crown Point	(64/20 or 42/42)
Porter County Juvenile Detention Center	10
Valparaiso	(any combinations)
The Parkview Juvenile Center	13
South Bend	(any combination)
Elkhart County Juvenile Detention Center	12
Goshen	(8/4)
Wood Youth Center	65
Fort Wayne	(51/14)
Grant County Youth Center Annex	16
Marion	(all male)
Madison County Juvenile Center	20
Anderson	(14/8)
Delaware County Juvenile Detention Center	24
Muncie	(all male)
Marion County Juvenile Court Detention Center	144
Indianapolis	(any combination)
Vigo County Juvenile Center	17
Terre Haute	(11/6)
Kinsey Youth Center	20
Kokomo	(any combination)
Clark County Juvenile Detention	14
Jeffersonville	(any combination)
Johnson County Juvenile Center	48
Franklin	(24/8)
Dorothy S. Crowley, LaPorte County Juvenile	12
LaPorte	(any combination)
Bartholomew County Youth Service Center	16
Columbus	(any combination)
Henry County Youth Center	30
New Castle	(any combination)
Hamilton County Detention Center	20
Noblesville	(any combination)
Dearborn County Juvenile Center	20
Lawrenceburg	(any combination)

Source: Indiana Juvenile Justice Task Force

2. **Separation from adults.** Juveniles may not be detained or confined in any institution in which they have regular contact with incarcerated adults either while they are awaiting trial on criminal charges or because they have been convicted of a crime.
3. **Jail removal.** Juveniles are prohibited from being detained in adult jails or lockups by 1988.

Indiana was slow in coming into compliance. In fact, in 1988 approximately \$1 million in federal funds was withheld because Indiana had failed to make sufficient progress in meeting the requirements of the act.³⁴ In 1988, more than 7,000 juveniles were still being held in adult jails in violation of the act.³⁵ Conditions often led to despair. From 1981 to 1989, ten young Hoosiers committed suicide while being held in adult jails or lockup facilities.³⁶ The federal action of 1988 was a turning point although it was not until 1992 that the state passed legislation that brought Indiana's detention standards into compliance with national standards.

Once Indiana came into compliance, improvement was rapid. In calendar year 1988, there were 7,372 juveniles inappropriately held in adult jails statewide. By 1991, this number had decreased to 445. Table 2 summarizes the progress made in removing juveniles from adult jails since 1988.³⁷

Alternatives for Juvenile Detention

Not all Indiana counties have appropriate detention centers available for juveniles. Much of the progress made in preventing lockup of juveniles

Table 2
Juveniles Detained in Indiana Jails in Violation
of the Juvenile Justice and Delinquency Prevention Act of 1974

1988	7,372
1989	3,369
1990	1,059
1991	445
1992	113
	(first 6 months of 1992 only)

Source: Indiana Criminal Justice Institute.

in adult jails is a result of creative solutions devised for protecting juveniles until appropriate placement options can be found. The Indiana Juvenile Justice Task Force has been instrumental in creating these solutions.

There are essentially three alternatives available to juveniles who must be detained but for whom no room exists at a detention center in the home county. These options include using a holdover facility, using home detention, or transporting the youth to a detention center in another county. These alternatives to juvenile detention are described below.

Holdover Facilities

In 1993, 66 counties had holdover sites in operation.³⁸ Six of these counties also had operating detention centers.³⁹ The types of sites used are listed in Table 3.

Table 3
Holding Sites for Juvenile Detention

	No. of Sites	% of Total
Jails, juvenile detention facilities, or other law enforcement facilities	25	34%
Public or governmental office buildings	19	26%
Hospitals	7	10%
Social service organizations (e.g., Salvation Army, YMCA, youth centers)	6	8%
Residential care facilities (e.g., emergency shelters, group homes, foster care homes)	5	7%
Churches	4	5%
Crisis centers	3	4%
Motels	3	4%
Residences (houses or apartments owned by a county or agency)	1	1%
Fire Station	1	1%

Sources: Indiana Juvenile Justice Task Force, Indiana Department of Correction, Indiana Criminal Justice Institute.

It is interesting to note that traditional law-enforcement or juvenile detention facilities now account for only 34% of the sites where juveniles could be detained, pending court appearance. This is especially exciting given that the largest single offense for which the holdover option was used is that of runaway, a minor status offense. In the past, status offenders have been at particular risk of adult assault when housed in adult jails. The holdover option eliminates this risk. Table 4 summarizes the five most frequently reported offenses that led to use of the holdover option.

Table 4
Five Most Frequently Reported Juvenile Offenses
Using Holdover Option, 1990-1993

Offense	Number of Offenses		
	1992-93	1991-92	1990-91
Runaway	286	409	409
Alcohol-related	136	145	204
Violation of Court Order/Probation	65	-	-
Theft	59	147	82
Auto theft	50	-	-
Battery	-	71	62
Incorrigibility	-	60	64
Other	339	431	414
Total	935	1,263	1,235

Note: Top five offenses account for more than half of the uses of holdover option annually.

Source: Juvenile Alternatives Statistics, 1993. Indiana Department of Correction; Indiana Criminal Justice Institute; Indiana Juvenile Justice Task Force.

Home Detention

The second type of alternative detention now available to youth is home detention. This may take place in three ways: 1) home detention where a volunteer periodically comes to check in on the juvenile, 2) home detention with electronic monitoring devices, and 3) home detention with electronic

monitoring devices *and* volunteer supervision. Table 5 summarizes the five most frequently reported offenses leading to the use of home detention.

Table 5
Five Most Frequently Reported Juvenile
Offenses using Home Detention Option

Offense	Number of Offenses		
	1992-93	1991-92	1990-91
Theft	148	186	131
Battery	95	101	89
Runaway	88	113	75
Burglary	78	161	69
Auto theft	64	53	-
Alcohol-related	-	-	97
Other	465	335	98
Total	938	949	559

Source: Juvenile Alternatives Statistics, 1993. Indiana Department of Correction; Indiana Criminal Justice Institute; Indiana Juvenile Justice Task Force.

Transporting the Youth

The last alternative is transportation of the juvenile needing detention to a center with an available bed in another county. Not all detention centers in the state will accept transfers from other counties, nor do all counties in the state have detention centers available for their use. Table 6 summarizes the five most frequently reported offenses which led to use of the transportation option.

Table 6
Five Most Frequently Reported Juvenile Offenses
using Transportation Services Option

Offense	Number of Offenses		
	1992-93	1991-92	1990-91
Burglary	124	61	63
Theft	104	79	104
Violation of Court Order/Probation	69	-	-
Auto theft	66	35	57
Battery	55	67	101
Escape	-	22	23
Other	209	158	192
Total	627	422	540

Source: Juvenile Alternatives Statistics, 1993. Indiana Department of Correction; Indiana Criminal Justice Institute; Indiana Juvenile Justice Task Force.

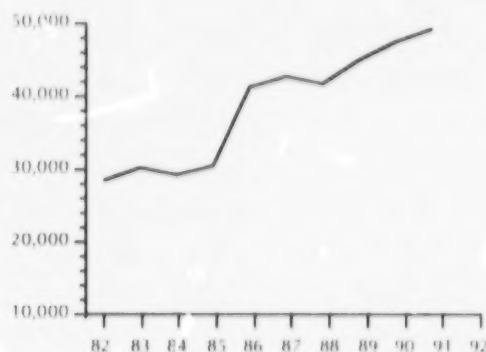
Adjudication

During the adjudication step of processing in the juvenile justice system, a young person is classified as a delinquent (either status offender or criminal offender) or a child in need of services (CHINS). Additionally, the term *ward* is frequently used in reference to these children. The term is not defined in statute, but it is commonly used to mean both CHINS children and delinquent children under the supervision of the state.

Juvenile Court Caseloads

Juvenile cases are generally heard in circuit or superior courts, or a combination of both. In the decade from 1982-1992, Indiana courts have witnessed a 70% increase in juvenile case filings. (See Figure 4.) These filings include juvenile CHINS, delinquency, status offenses, paternity, and miscellaneous matters not otherwise specified. Table 7 summarizes the numbers of cases filed in Indiana courts from 1989-1992. These figures clearly show steady overall growth in juvenile case filings although rates of change in specific types of cases vary.⁴⁰

Figure 4. Annual Juvenile Case Filings in Indiana Courts, 1982-1992



Note: Includes juvenile CHINS, delinquency, status offenses, paternity, and miscellaneous cases. Excludes juveniles waived to adult courts for criminal offenses.

Source: Office of State Court Administration, Supreme Court of Indiana, Indiana Judicial Report, 1992.

Table 7
 Juvenile Cases Filed in Indiana Circuit and Superior Courts, 1989-1992

Type of Case	Year			
	1989	1990	1991	1992
Juvenile CHINS	4,149	4,409	5,147	5,835
Juvenile delinquency	15,300	16,971	16,169	16,039
Juvenile status	1,957	2,797	3,255	3,366
Juvenile paternity	12,943	13,290	14,057	14,397
Juvenile miscellaneous	7,493	7,472	8,917	9,548
Total	41,842	44,939	47,545	49,185

Source: Office of State Court Administration, Supreme Court of Indiana, Indiana Judicial Report, 1992.

Disposition

Once a juvenile is determined to be a delinquent, a decision is made during the dispositional hearing in juvenile court regarding where the juvenile will reside. Individuals may be ordered to

- Remain in a juvenile detention facility,
- Return home with their parents under the supervision of a probation officer,
- Submit to the supervision of home detention,
- Make public restitution,
- Spend time in a residential treatment facility, or
- Be committed to the Department of Correction.

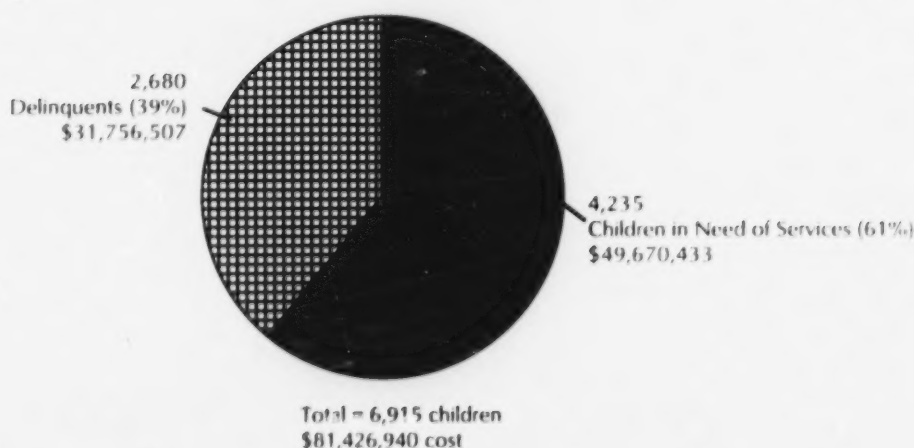
Residential Placement

If the youth is ordered into residential placement, he or she will likely be served by a private-sector provider of residential treatment services, either in or out of Indiana. Residential child-care providers supply residential care for difficult, troubled, and/or victimized children in a number of different settings with different degrees of structure and security. Some facilities have on-ground schools while others meet the educational needs of their residents in the local public schools. Others have worked out cooperative arrangements with local schools and have public school teacher(s) come directly to the facility to provide educational services on-site, in concert with the staff of the facility.

Residential child care agencies include crisis shelters for children, group homes caring for up to ten children, and child-caring institutions. Per diem rates are set by each facility and vary depending on the amount of support staff and services needed for the particular types of children the facility is designed to serve. In 1991, these rates ranged from a low of \$20 per day for transitional living arrangements or group home beds to a high of \$249 per day for diagnostic and evaluation services or secure-care facilities (either staff-secured or locked to prevent the child's departure).⁴¹ According to an analysis completed by the Indiana Association of Residential Child Care Agencies (IARCCA), Indiana had 88 licensed group home facilities with a capacity of 780 beds and 53 licensed child-caring institutions with a total of 2,064 beds available in 1991.⁴²

The Division of Family and Children indicates that in calendar year (CY) 1992, a total of 6,915 children were placed in institutional care at a total cost of \$81,426,940.⁴³ (See Figure 5.) This includes 4,235 children adjudicated as children in need of services (CHINS) and 2,680 children adjudicated as delinquent.⁴⁴ The reported cost for care of the delinquent children is \$31,756,507.⁴⁵ It is unclear whether these figures include the care for those children adjudicated delinquent and placed by the court, supervised by the probation function of the court, and paid for by the court. It is reported that

Figure 5. Placement of Ward Into Institutional Care in CY 1992 by Legal Status and Total Cost



Source: The Division of Family and Children, Family and Social Services Administration, August 20, 1993, Budget Documents, Bureau of Family Protection and Preservation.

eight or nine counties have a separate budget and place delinquent children in this manner.

Indiana Department of Correction

The Indiana Department of Correction (DOC) is the agency with statutory responsibility for administering the state's juvenile correctional institutions. Commitment to the DOC is generally viewed as the end stage in the juvenile justice system. Juveniles ages 12-17 may be committed. The Department has no control over which juveniles are committed to their agency, but once committed, DOC determines the facility to which the juvenile is assigned. The Department of Correction currently has eight facilities with juvenile programs. (See Table 8.)

Table 8
Indiana Department of Correction Juvenile Facilities

Facility	Capacity
Indiana Boys' School	255
Indiana Girls' School	180
Fort Wayne Juvenile Residential Facility	32
South Bend Juvenile Facility	41
Northeast Juvenile Residential Facility (Fort Wayne)	50
Bloomington Juvenile Facility	54
Summit Juvenile Facility (LaPorte)	40
Logansport Juvenile Facility	56

Source: Indiana Department of Correction.

The facilities in Table 8 all serve male delinquents except the Indiana Girls' School. Northeast, Bloomington, and Summit were previously work-release centers for adults that were converted to house juvenile offenders. The facility at Logansport was originally designed as a detention center, but is now used as a maximum-security facility. Four of the beds at the Logansport facility are held as detention beds for Cass County. Eleven of the beds at the South Bend Facility are used for evaluation and diagnostic purposes. Here, children are generally observed for two weeks and then sent to the most appropriate available facility within the system.

If the juvenile court commits the adjudicated delinquent youth to the Department of Correction, the sending county must provide one-half of the cost of incarceration. For 1993, the per diem at the Girls' School is \$85.99 per day, and the per diem for the Boys' School and all the other facilities is \$78.69 per day.⁴⁶ If the committed juvenile stays for a year, the annual cost for the Girls' School is \$31,386.35, and the Boys' School, \$28,721.85.

The number of young people committed to the Indiana Girls' School or Boys' School for 1992 and through fall 1993 is summarized in the following tables (9 and 10).

Table 9
Commitments to the Indiana Girls' School, 1992 - 1993

	1992	1993*
Diagnostic evaluations	87	55
Recommitments and new commitments	294	240
Total	381	295

* As of 10/7/93

Source: Indiana Girls' School

In addition to the commitment figures in Table 10, in 1992 the Boys' School also conducted diagnostic evaluations of 215 young people who were then referred to other more appropriate placements. Use of Boys' School for evaluations has increased. Through the end of August 1993, the Boys' School had already conducted 348 evaluations that resulted in transfers to other facilities.

Table 10
Commitments to the Indiana Boys' School, 1987 - 1993

	1987	1988	1989	1990	1991	1992	1993*
New commitments	669	741	770	729	922	792	656
Recommitments	139	171	164	165	248	224	123
Parole violators	99	98	131	157	181	196	110
Total	907	1010	1065	1051	1351	1212	889

* As of 9/7/93

Source: Indiana Boys' School

A county summary of the juveniles committed to the Department of Correction for state fiscal year 1992 is included in Appendix B.

Characteristics of Indiana Boys' School Residents

In 1990, the Department of Correction reported the following statistical profile of the youth then incarcerated at the Indiana Boys' School.⁴⁷

- Ten percent came from an intact, two-parent home.
- Thirty percent had previous group-home placements.
- Eighty percent reported being "high" on drugs or alcohol at the time of their offense.
- Twenty-five percent had previous psychiatric or substance abuse hospitalization.
- Forty-one percent had at least one parent with a substance abuse problem.
- Twenty percent demonstrated suicidal tendencies.
- At least 47% received some outpatient mental health services.
- At least 60% were already wards of the child welfare system.

The needs of juvenile delinquent youth are complex and multidimensional. Most juvenile experts agree that juvenile delinquency reflects a breakdown of homes, families, schools, and other community institutions and requires a variety of societal interventions.

Characteristics of Residents of All DOC Juvenile Facilities

It is interesting, however, to compare this profile with the results obtained in 1992 when the Department of Correction contracted with the National Council on Crime and Delinquency to develop a classification and placement system for the state of Indiana. The Council conducted a study of those juveniles in residence in state facilities on July 1, 1992. Information was collected on 443 cases, including 264 males and 179 females. The males represented a random sample of 50% of those in residence, chosen by the last digit of their DOC number. To ensure an adequate number of females in the study, all girls in residence on July 1, 1992 were included. The information in figures 6 and 7 is taken from their summary report.⁴⁸

Figure 6. Ancestry of Residents in DOC Juvenile Facilities During July 1992

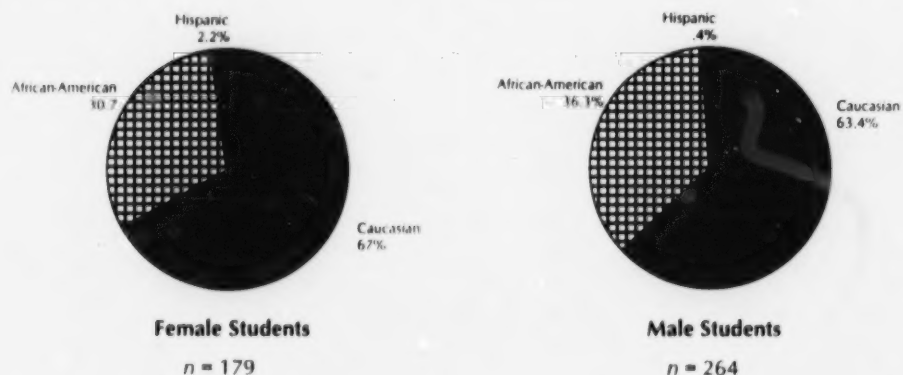
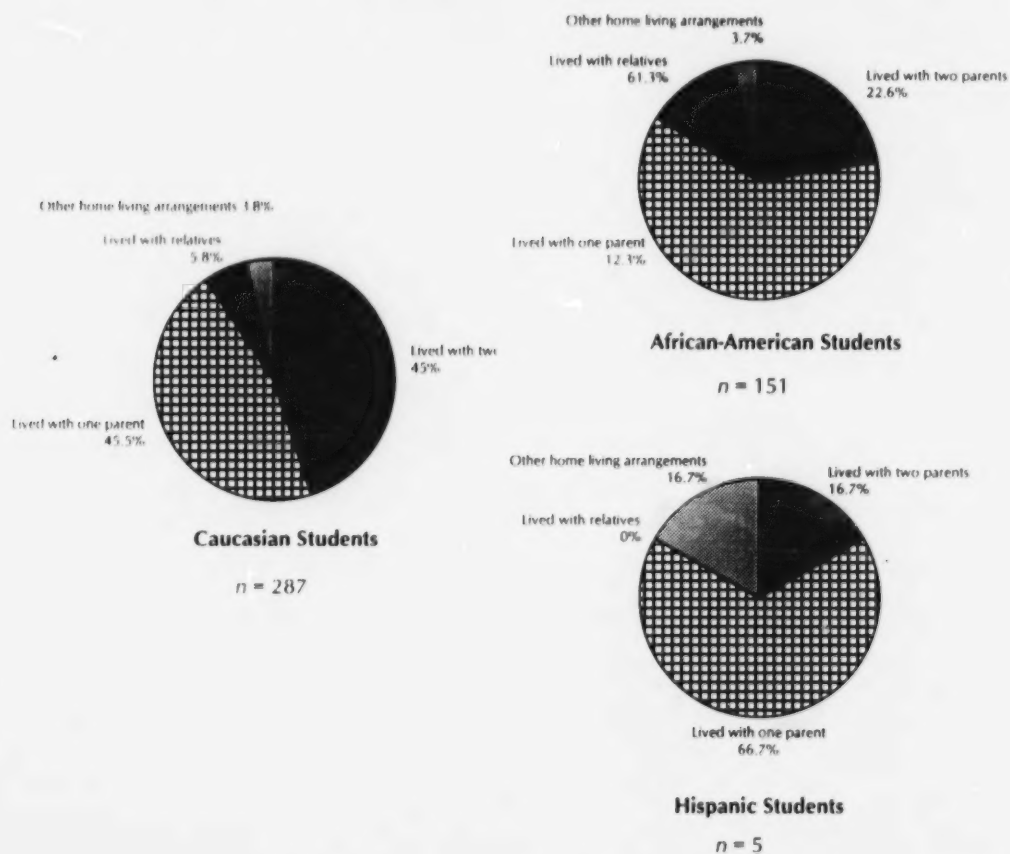


Figure 7. Home Status of Residents in DOC Juvenile Facilities During July 1992

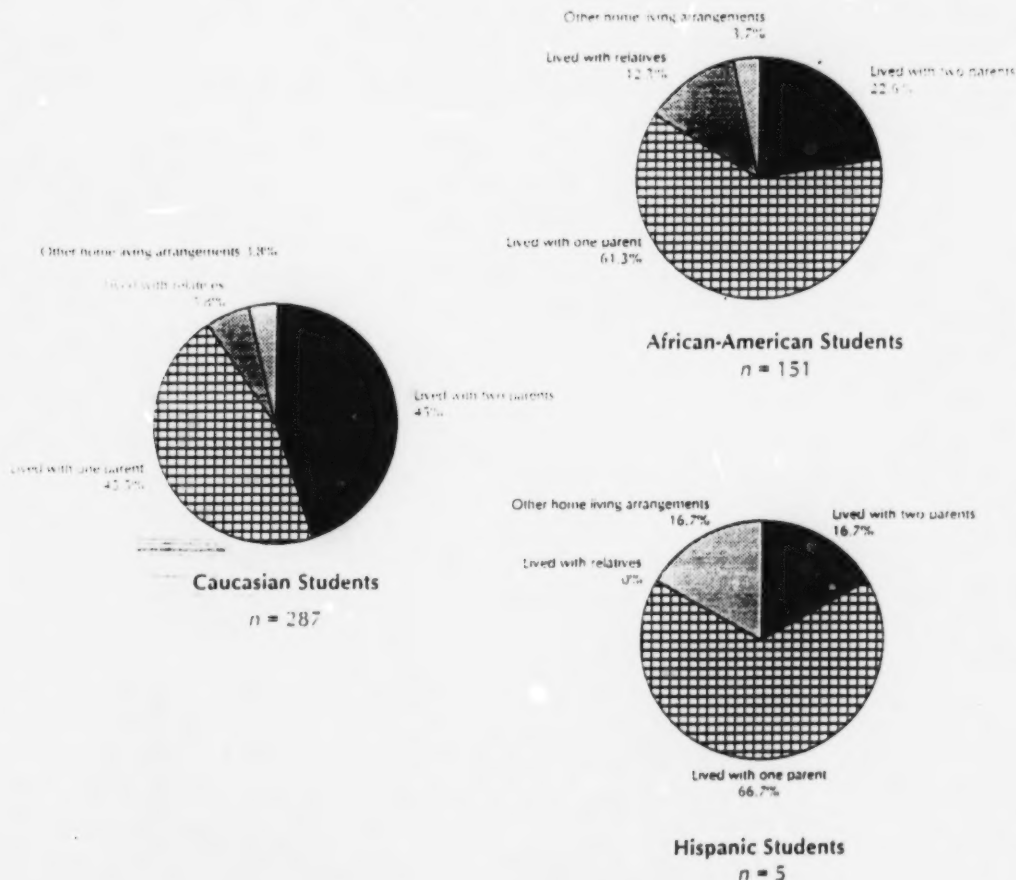


Erratum

Two numbers inadvertently were transposed in the chart for African-American students in juvenile facilities that is part of Figure 7 on page 42. The corrected chart appears below.

We regret any confusion or inconvenience that this error may have caused.

Figure 7. Home Status of Residents in DOC Juvenile Facilities During July 1992



The following characteristics were also identified by the National Council on Crime and Delinquency study:

Home and Family Data

- Girls committed to the Department of Correction were younger than boys. The average age for girls was 15 years and 7 months compared to 16 years for boys.
- Fifty-seven percent of the girls reported having one or more prior referrals to social service agencies for abuse and neglect by parents or guardians.
- Parent/guardian supervision was rated effective for only 14% of boys and 12% of girls.
- The supervision by parent/guardian was reported as contributing to the delinquency of the child for 14% of the boys and 26% of the girls.

School Data

- Thirty-nine percent of the boys and 26% of the girls dropped out or were expelled from school at the time of admission into the DOC.
- Eighty-one percent of the boys and 92% of the girls had occasional or frequent truancy problems.
- Eighty-nine percent of the boys and 84% of the girls had moderate to severe behavioral problems while in school.
- While 94% of all males in the sample were age 14 or older, 62% had functional reading scores of grade 6 or lower; and 26% had scores of grade 4 or lower.
- Alcohol use was rated as a disruptive factor in the lives of 50% of the boys and 56% of the girls.

Delinquency Data

- More than 60% of the boys and 55% of the girls were arrested before the age of 13.
- Seventy-one percent of the boys and 31% of the girls had three or more arrests prior to the current commitment.
- Two in five boys and one in four girls committed were arrested for an offense classified as assaultive.
- Of the males, 28% were committed for crimes against persons and 44% for crimes against property; for females, 17% were against persons and 31% against property.

Release

A young person ready to leave a Department of Correction juvenile facility is either discharged or paroled. If discharged, the youth has "paid his/her debt" by completing the assigned sentence and is released into the community. If paroled, the youth is released, but must report to an adult probation officer charged with his/her supervision. Other terms of the parole depend on the circumstances of the individual case. Often juveniles are sent home without any aftercare programming, case management or follow-up services. It is of little surprise to those working in the juvenile justice system that once released, these young people often fall right back into old habits.

Juvenile offenders report many frustrations in their attempts to leave their old habits behind when they go home to families and communities that have not changed. The youth perceive that they are expected to make changes in their own behavior, but their parents are not placed under any similar obligation. Young people feel that they have been punished, but their parents have not been held similarly accountable. This is an ironic twist, given the role that instability in the home environment frequently contributes to the delinquency pattern of a youth. As reported earlier, 57% of the girls committed to DOC had been through previous referrals for child abuse/neglect investigations. Parental alcohol use was found to be a disruptive factor in the lives of more than half the youth committed to DOC. Further, inadequate supervision by a parent or guardian was a contributing factor to delinquency for 14% of the boys and 26% of the girls.

Going back to old schools and neighborhoods poses a different set of challenges for young offenders. Memories of their earlier behavior and former reputations make it difficult for them to form new friendships and join new peer groups. Probation officers encourage these young people to stay away from former associates, many of whom have been in trouble themselves. Unfortunately, the old peer groups are often the only ones that will accept returning youths. Unfortunately also, they often succumb to the negative pressures to resume old habits.

Understanding what lies ahead for them, young people about to be released are often ambivalent. Staff members at Indiana's juvenile correctional facilities report that it is not unusual for youth ready for discharge to re-offend just before release to prevent having to return to their families. For many children, the safety, security, and stability of the correctional system is a vast improvement over the conditions they face at home.

Indiana's juvenile justice system places responsibility for offending behavior and for changing this behavior directly on the child, where indeed, it ultimately rests. If young offenders are to succeed, however, far more attention must be paid to the family, school, and community contexts to which they will be returning to live out their "reform."

Notes

¹Federal Bureau of Investigation, (FBI) U.S. Department of Justice, *Uniform Crime Reports for the United States 1991*, Washington, DC, U.S. Government Printing Office, 1992, p. 279.

²Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice, 1991, cited in National Prevention Council, *Sending Kids into a Safer World*, Washington, DC, June 1993, p. 20.

³Cathy Spatz Widom, *The Cycle of Violence*, U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, Washington, DC, October 1992, p. 1.

⁴Indiana Department of Correction, *Characteristics of Students, Indiana Boys' School*, Indianapolis, IN, 1990, cited in *Children With Special Needs*, Indiana Legislative Services Agency, Indianapolis, IN, June 1990, pp. 34-35.

⁵Andrea Neal, *Young lives on the edge*, the *Indianapolis Star*, November 7, 1993, p. A1.

⁶A. Neal, *Young lives on the edge*, the *Indianapolis Star*, p. A1.

⁷Andrea Neal, *For young people at risk, help is often too little, too late*, the *Indianapolis Star*, November 12, 1993, pp. A1 and A8.

⁸FBI, *Uniform Crime Reports*, p. 279.

⁹FBI, *Uniform Crime Reports*, p. 279.

¹⁰FBI, *Uniform Crime Reports*, p. 279. Persons in the other race category represent less than 2 percent of the total violent crime arrests.

¹¹FBI, *Uniform Crime Reports*, p. 279.

¹²FBI, *Uniform Crime Reports*, p. 279.

¹³FBI, *Uniform Crime Reports*, p. 279.

¹⁴National Crime Prevention Council, *Sending Kids into a Safer World*, pp. 20-21.

¹⁵*Foundation News, Guns Versus Health*, July/August 1993, p. 13.

¹⁶*Foundation News*, July/August 1993.

¹⁷*Foundation News*, July/August 1993.

¹⁸Morehouse College, *MRI Bulletin*, Atlanta, Georgia, Number 93:2, p. 3, citing the Yankelovich Clancey Shulman public opinion poll.

¹⁹National Commission on Children, *Beyond Rhetoric, A New American Agenda for Children and Families*, Washington, DC: U.S. Government Printing Office, 1991, p. XVIII.

²⁰*MRI Bulletin*, Number 93:2, pages 3-4.

²¹W. Anderson, *Worthless punks*, the *Indianapolis Star*, Letter to the editor, October 9, 1993.

²²Federal Bureau of Investigation, (FBI) UCR 96700, Master File, 1991. D. Daniels did a secondary analysis of data for IYI.

²³FBI, Master File, 1991.

²⁴FBI, Master File, 1991.

²⁵FBI, Master File, 1991.

²⁶FBI, Master File, 1991.

²⁷FBI, Master File, 1991.

²⁸Indiana Family and Social Services Administration, Division of Family and Children, *FY 1992 Annual Report*.

²⁹C. S. Widom, *The Cycle of Violence*, p. 1.

³⁰Indiana Department of Correction, Indiana Criminal Justice Institute, and the Indiana Juvenile Justice Task Force, *Indiana Juvenile Alternatives, Annual Statistics for Regional Grant Projects, 7/1/92 to 6/30/93*, p. 2.

³¹Indiana Code 31-6-4 (Legal Steps Required).

³²Laurel Elliot, Indiana Juvenile Justice Task Force, *Juvenile Detention in Indiana*, June 1992, p. 2.

³³L. Elliot, *Juvenile Detention in Indiana*, p. 2.

³⁴L. Elliot, *Juvenile Detention in Indiana*, p. 2.

³⁵L. Elliot, *Juvenile Detention in Indiana*, p. 2.

³⁶Jim Miller, Indiana Juvenile Justice Task Force, telephone conversation of 11/12/93.

³⁷Indiana Criminal Justice Institute.

³⁸Indiana Department of Correction, Indiana Criminal Justice Institute, and the Indiana Juvenile Justice Task Force, *Indiana Juvenile Alternatives*, p. 2.

³⁹Indiana Department of Correction, Indiana Criminal Justice Institute, and the Indiana Juvenile Justice Task Force, *Indiana Juvenile Alternatives*, p. 2.

⁴⁰Supreme Court of Indiana, Division of State Court Administration, *1992 Indiana Judicial Report, Volume 1*, Executive Summary, Indianapolis, IN, 1993, pp. 46-47.

⁴¹Indiana Legislative Services Agency, *Children With Special Needs and Local Service Delivery*, October 1991, p. 26.

⁴²Indiana Legislative Services Agency, *Children With Special Needs and Local Service Delivery*, p. 26.

⁴³Governor's Special Committee on Welfare Property Tax Controls, Committee Meeting Proceedings, August 20, 1993, p. 8.

⁴⁴Governor's Special Committee on Welfare Property Tax Controls, Committee Meeting Proceedings, p. 8.

⁴⁵Governor's Special Committee on Welfare Property Tax Controls, Committee Meeting Proceedings, p. 8.

⁴⁶Evelyn Ridley-Turner, Deputy Commissioner, Indiana Department of Correction, telephone conversation of October 7, 1993.

⁴⁷Indiana Department of Correction, *Characteristics of Students: Indiana Boys' School*, pp. 34-35.

⁴⁸National Council on Crime and Delinquency, *Classification and Placement System for Indiana Juvenile Corrections*, Preliminary Draft, 1992, pp. 3-5



Appendices

Appendix A

Federal Bureau of Investigation (FBI)
Uniform Crime Report, 1991FBI Uniform Crime Report, 1991
Juvenile Arrests for:

Counties	Juvenile Arrests	Data Missing	Violent Crimes	Weapons Offenses
ADAMS	182	Yes	5	0
ALLEN	2,147	Yes	192	38
BARTHOLOMEW	573	Yes	1	5
BENTON	66	Yes	3	0
BLACKFORD	47	No	0	0
BOONE	62	Yes	0	0
BROWN	No Data	No Data	-	-
CARROLL	30	Yes	0	0
CASS	310	Yes	16	0
CLARK	540	Yes	12	3
CLAY	21	Yes	1	0
CLINTON	168	Yes	2	0
CRAWFORD	No Data	No Data	-	-
DAVIESS	0	Yes	0	0
DEARBORN	No Data	No Data	-	-
DECATUR	74	Yes	1	0
DEKALB	161	Yes	60	0
DELAWARE	67	Yes	1	1
DUBOIS	114	Yes	3	0
ELKHART	2,202	No	49	5
FAYETTE	161	Yes	4	0
FLOYD	499	Yes	13	4
FOUNTAIN	9	Yes	0	0
FRANKLIN	No Data	No Data	-	-
FULTON	No Data	No Data	-	-
GIBSON	1	Yes	0	0
GRANT	1,546	No	12	9
GREENE	No Data	No Data	-	-
HAMILTON	616	Yes	0	5
HANCOCK	125	Yes	5	0
HARRISON	41	Yes	0	0
HENDRICKS	67	Yes	1	1
HENRY	163	Yes	0	0
HOWARD	1,261	Yes	31	2
HUNTINGTON	309	Yes	1	0
JACKSON	No Data	No Data	-	-
JASPER	13	Yes	0	0
JAY	55	Yes	5	0
JEFFERSON	153	No	4	0
JENNINGS	94	No	5	1
JOHNSON	378	Yes	3	2
KNOX	73	Yes	3	1
KOSCIUSKO	322	Yes	1	1
LAGRANGE	0	No	0	0
LAKE	3,827	Yes	175	44

LAPORTE	1,723	Yes	59	6
LAWRENCE	169	Yes	0	0
MADISON	1,032	Yes	51	9
MARION	8,604	Yes	672	91
MARSHALL	9	Yes	0	0
MARTIN	6	Yes	0	0
MIAMI	No Data	No Data	-	-
MONROE	67	Yes	0	0
MONTGOMERY	347	No	3	1
MORGAN	143	Yes	3	1
NEWTON	15	No	0	0
NOBLE	54	Yes	2	0
OHIO	No Data	No Data	-	-
ORANGE	No Data	No Data	-	-
OWEN	No Data	No Data	-	-
PARKE	5	Yes	1	0
PERRY	97	Yes	2	0
PIKE	6	Yes	0	0
PORTER	1,542	Yes	19	6
POSEY	No Data	No Data	-	-
PULASKI	1	No	0	0
PUTNAM	0	Yes	0	0
RANDOLPH	35	Yes	0	0
RIPLEY	43	Yes	1	0
RUSH	78	Yes	0	0
ST. JOSEPH	1,799	Yes	104	10
SCOTT	78	Yes	0	0
SHELBY	No Data	No Data	-	-
SPENCER	No Data	No Data	-	-
STARKE	No Data	No Data	-	-
STEBEN	135	Yes	2	0
SULLIVAN	No Data	No Data	-	-
SWITZERLAND	No Data	No Data	-	-
TIPPECANOE	1,297	Yes	6	3
TIPTON	No Data	No Data	-	-
UNION	No Data	No Data	-	-
VANDEBURGH	1,093	Yes	82	5
VERMILLION	No Data	No Data	-	-
VIGO	912	Yes	9	2
WARASH	141	Yes	1	0
WARREN	No Data	No Data	-	-
WARRICK	0	Yes	0	0
WASHINGTON	11	Yes	0	0
WAYNE	814	Yes	11	2
WELLS	123	Yes	8	0
WHITE	79	Yes	1	0
WHITLEY	No Data	No Data	-	-
INDIANA	36,935	Yes	1,642	258

Appendix B

Indiana Judicial Report
Juvenile Case Filings, 19921992 Commitments
to Indiana Dept. of
Correction

Counties	CHINS	Delinquents	Status	Paternity	Misc.	Boys	Girls
ADAMS	10	119	22	29	4	5	0
ALLEN	510	639	69	877	3,322	166	36
BARTHOLOMEW	62	203	0	129	117	5	12
BENTON	6	8	1	12	3	2	0
BLACKFORD	11	21	0	51	0	3	1
BOONE	23	74	0	22	113	6	1
BROWN	22	28	13	10	1	1	0
CARROLL	3	37	11	21	36	3	1
CASS	25	67	12	57	87	0	3
CLARK	84	155	40	155	736	6	12
CLAY	79	73	57	110	4	0	1
CLINTON	17	57	14	56	23	7	0
CRAWFORD	47	23	0	14	6	0	0
DAVIESS	43	52	0	59	0	3	6
DEARBORN	20	203	0	81	0	1	0
DECATUR	12	39	0	34	64	1	3
DEKALB	157	119	44	42	8	16	2
DELAWARE	462	388	333	323	199	9	4
DUBOIS	28	48	13	32	4	5	2
ELKHART	187	455	97	271	366	34	19
FAYETTE	34	129	39	53	8	1	4
FLOYD	138	112	7	203	71	7	1
FOUNTAIN	13	9	0	34	123	1	0
FRANKLIN	27	0	0	30	1	1	1
FULTON	15	19	0	16	76	0	0
GIBSON	42	10	5	48	65	1	1
GRANT	58	208	37	219	551	16	3
GREENE	28	89	0	50	3	6	0
HAMILTON	25	358	89	118	10	1	1
HANCOCK	8	26	1	68	79	2	0
HARRISON	19	84	26	26	0	7	4
HENDRICKS	15	362	0	64	12	3	0
HENRY	44	52	0	103	40	4	3
HOWARD	32	190	70	277	0	38	18
HUNTINGTON	18	78	0	45	0	4	3
JACKSON	76	154	40	61	20	8	2
JASPER	14	29	5	32	7	1	0
JAY	23	15	3	32	53	2	1
JEFFERSON	6	57	30	49	2	3	1
JENNINGS	19	34	0	42	6	2	0
JOHNSON	56	242	45	115	4	7	15
KNOX	40	85	0	89	166	2	1
KOSCIUSKO	30	83	0	112	6	10	8
LAGRANGE	37	126	0	47	1	1	0
LAKE	692	1,806	4	1,825	522	28	6

LAPORTE	86	160	0	237	320	11	9
LAWRENCE	21	85	18	73	171	5	0
MADISON	143	680	277	418	404	33	38
MARION	623	4,115	1,441	3,404	125	347	143
MARSHALL	15	115	35	78	139	6	0
MARTIN	14	18	9	16	53	1	0
MIAMI	30	53	22	75	1	3	1
MONROE	56	179	0	159	171	1	0
MONTGOMERY	27	86	0	69	8	2	0
MORGAN	55	143	66	90	20	11	2
NEWTON	35	9	0	14	1	0	1
NOBLE	33	62	0	65	29	7	0
OHIO	4	30	0	3	0	0	0
ORANGE	9	26	6	34	0	2	1
OWEN	22	71	0	32	4	4	0
PARKE	15	15	0	45	1	0	0
PERRY	17	15	3	21	87	7	1
PIKE	32	6	14	25	1	1	0
PORTER	146	366	0	238	12	12	4
POSEY	7	50	10	11	0	1	0
PULASKI	12	28	1	36	4	5	1
PUTNAM	28	119	7	68	0	18	0
RANDOLPH	9	38	2	32	35	4	1
RIPLEY	21	30	0	19	34	0	2
RUSH	23	28	0	50	76	0	2
ST. JOSEPH	142	596	2	840	35	97	25
SCOTT	31	31	0	63	27	2	2
SHELBY	16	132	23	68	106	6	2
SPENCER	2	10	0	18	0	0	0
STARKE	4	31	0	46	0	6	1
STEUBEN	13	24	11	61	23	5	0
SULLIVAN	32	24	0	33	2	0	2
SWITZERLAND	11	35	0	6	1	2	0
TIPPECANOE	262	266	121	244	17	13	4
TIPTON	5	20	1	8	23	1	0
UNION	4	3	0	2	1	0	0
VANDEBURGH	143	328	35	512	203	52	14
VERMILION	14	16	1	31	18	11	1
VIGO	66	328	93	287	6	15	14
WABASH	26	109	3	87	92	6	1
WARREN	3	16	3	11	9	2	2
WARRICK	14	68	0	76	4	3	4
WASHINGTON	25	48	0	47	103	3	0
WAYNE	180	155	17	354	126	26	6
WELLS	21	42	13	63	93	12	3
WHITE	8	39	5	44	38	0	0
WHITLEY	13	26	0	41	0	2	0
INDIANA	5,835	16,039	3,366	14,397	9,548	1,174	463

10 Blueprints for Healthy Development

The Indiana Youth Institute's blueprints for healthy development of all Indiana's children are based on the premise that every child in Indiana—regardless of race, gender, ethnicity, physically or mentally challenging condition, geographical location or economic status—deserves an equal opportunity to grow up in a safe, healthy, and nurturing environment.

Building a Healthy Body

Indiana's youth will be born at full term and normal birth weight to healthy mothers. They will receive a well-balanced diet in adequate supply to grow strong bodies to acceptable height for their age. They will be provided a balance of physical activity and rest in a safe and caring environment. They and their families will have access to good medical care and educational opportunities that will teach them how to abstain from health-endangering activities and engage in health-enhancing activities.

Building Positive Relationships

Indiana's children will experience love and care of parents and other significant adults. They will develop wholesome relationships while learning to work collaboratively with peers and adults.

Building Self-Acceptance

Indiana's children and youth will perceive themselves as lovable and capable; they will act with self-confidence, self-reliance, self-direction, and control. They will take pride in their accomplishments. As they develop self-esteem, they will have positive feelings about their own uniqueness as well as that of others.

Building Active Minds

Indiana's young people will have stimulating and nurturing environments that build on their individual experiences and expand their knowledge. Each young person will reach his or her own potential, gaining literacy and numeric skills that empower the lifelong process of asking questions, collecting and analyzing information, and formulating valid conclusions.

Building Spirit and Character

Indiana's young people will grow up learning to articulate values upon which to make ethical decisions and promote the common good. Within safe boundaries, children and youth will test limits and understand relationships between actions and consequences.

Building Creativity and Joy

Indiana's young people will have diverse opportunities to develop their talents in creative expression (e.g., music, dance, literature, visual arts, theater); to appreciate the creative talents of others; and to participate in recreational activities that inspire constructive, lifelong satisfaction.

Building a Caring Community

Indiana's communities will encourage their young people to see themselves as valued participants in community life. In addition to being recipients of services that express the communities' concerns for their safety and well-being, young citizens will become resources who will improve their surroundings, support the well-being of others, and participate in decisions that affect community life.

Building a Global Perspective

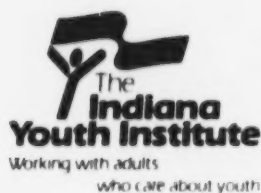
Indiana's children and youth will learn to see themselves as part of the global community, beyond ethnic, religious, racial, state, and national boundaries. In formal and nonformal educational experiences, they will have opportunities to become familiar with the history, political issues, languages, cultures, and ecosystems that affect global life and future well-being.

Building Economic Independence

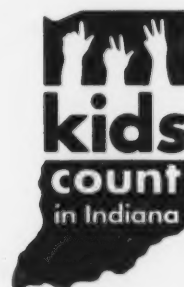
Indiana's young people will be exposed to a variety of educational and employment experiences that will contribute to vocational and career options. Their formal and nonformal educational experiences will prepare them to make the transition from school to work, to contribute to the labor force, and to participate in an economic environment that will grow increasingly more complex and will require lifelong learning.

Building a Humane Environment

All children will have access to a physically safe environment, free from abuse, neglect, exploitation, and other forms of violence. They will have adequate housing and living conditions; safe neighborhoods; clean air, food, and water. Their environment will be free from toxins, drugs, alcohol, and tobacco. All children will have an opportunity to learn how to protect their environment for the future.



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The Indiana Youth Institute was established in 1988 as an independent, nonprofit center. IYI is an intermediary agency serving the youth of Indiana by supporting adults who care about youth. It provides youth-serving adults and policymakers with research, training and advocacy. This publication is made possible in part by a KIDS COUNT grant from The Annie E. Casey Foundation.